

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATREASURY CORP.,

Plaintiff,

v.

WELLS FARGO & CO., et al.

Defendants.

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No. 2:06-CV-72

Judge David Folsom

ORDER

Before the Court is Plaintiff DataTreasury Corporation's Motion for Clarification Regarding Limitations of Asserted Claims, [Dkt. No. 689], and Responding Defendants' Opposition to that Motion.¹ Having considered the arguments, the Court is of the opinion that Responding Defendants' Opposition has merit, and that Plaintiff's Motion should be DENIED.

IT IS HEREBY ORDERED that, within ten (10) days of this ORDER, Plaintiff shall provide notice to the Court, and to Responding Defendants, of how many—if any—of its eighteen allotted claims it wishes to reserve for subsequent selection from U.S. Patent Nos. 5,910,988 and 6,032,137 when the stay as to those patents is lifted. A failure to so reserve any such claims will be taken as an intent to waive them. It is further ORDERED that, if Plaintiff chooses to so reserve some number of its allotted claims, it shall concurrently provide notice to the Court, and to Responding Defendants, of the corresponding number of currently asserted claims that it will no longer be asserting in this litigation against Responding Defendants.

¹ For the purposes of this Order, Responding Defendants include KeyBank National Association, KeyCorp, PNC Bank, The PNC Financial Services Group, Inc., Citizens Financial Group, Inc., City National Corporation, City National Bank, Deutsche Bank Trust Company Americas, LaSalle Bank Corporation, LaSalle Bank NA, and Bank of Tokyo-Mitsubishi UFJ, Ltd.